

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MEGHAN DONOHUE, on behalf of
herself and all others similarly situated,

Plaintiff,

v.

Civil Action No. 2:12-cv-1460

REGIONAL ADJUSTMENT
BUREAU INC.;
ENTERPRISE RECOVERY
SYSTEMS, INC.;
PHEAA; JOHN DOE 1; JANE DOE 1,

Defendants.

**STIPULATION FOR PLAINTIFF MEGHAN DONOHUE
SEEKING RELIEF FROM LOCAL RULE 23-1**

Plaintiff Meghan Donohue and Regional Adjustment Bureau Inc., et al.
("Defendants"), jointly submit the attached order seeking Plaintiff's relief from
Local Rule 23-1.

The background and circumstances which establish good cause for the relief
are as follows:

STIPULATION

WHEREAS, on March 23, 2012, Plaintiff filed the instant action against
Defendants asserting her claims individually;

WHEREAS on March 23, 2012, Plaintiff served the instant action on
Defendants;

WHEREAS, on April 5, 2012, Plaintiff filed the First Amended Complaint against Defendants asserting her claims individually;

WHEREAS on April 6, 2012, Plaintiff served the First Amended Complaint on Defendants;

WHEREAS on May 1, 2012, Defendant, PHEAA filed a Motion to Dismiss Plaintiff's First Amended Complaint;

WHEREAS, on May 29, 2012, upon stipulation and Order, Plaintiff was granted leave to file a Second Amended Complaint;

WHEREAS, on June 18, 2012, Plaintiff filed a Second Amended Complaint asserting her claims on behalf of herself and, under Fed.R.Civ.P. 23, all others similarly situated;

WHEREAS on June 18, 2012, Plaintiff served the Second Amended Complaint on Defendants;

WHEREAS on June 27, 2012, the parties entered a stipulation to provide Defendants an additional thirty (30) days to answer or otherwise respond to the Second Amended Complaint and submitted this stipulation to the Court for approval;

WHEREAS, on June 27, 2012, the Court approved the stipulation of the parties, and provided Defendants until July 27, 2012 to answer or otherwise respond to the Second Amended Complaint;

WHEREAS, on July 18, 2012 Defendant, Enterprise Recovery Systems filed a Motion to Dismiss Plaintiff's Second Amended Complaint;

WHEREAS, on July 27, 2012 Plaintiff filed her Response in Opposition to Motion to Dismiss Plaintiff's Second Amended Complaint;

WHEREAS, on July 27, 2012 Defendant, PHEAA filed a Motion to Dismiss Plaintiff's Second Amended Complaint;

WHEREAS on August 3, 2012, the parties entered a stipulation to provide Plaintiff an additional fourteen (14) days to answer or otherwise respond to the Defendant, PHEAA's Motion to Dismiss Plaintiff's Second Amended Complaint and submitted this stipulation to the Court for approval;

WHEREAS, the terms of Local Rule 23-1 require Plaintiff's class certification motion to be filed within ninety (90) days of service of the Second Amended Complaint, or by September 16, 2012, unless otherwise ordered by the Court;

WHEREAS, while the parties have met and conferred pursuant to Rule 26 and agree that filing a class certification motion by September 16, 2012 would not be practicable in this case in light of, *inter alia*, Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint and Plaintiff's intention to engage in discovery prior to filing a motion for class certification;

WHEREAS, the 2003 amendments to Rule 23(c)(1) provide that determination of whether a class may be certified shall take place at "an early practicable time;";

WHEREAS, the parties recognize that this court has the power to exercise reasonable control over all proceedings connected with the litigation to ensure the orderly and economic administration of justice;

WHEREAS, the parties further agree that the requested extension is not solely for the purposes of delay, but so that the due process of the parties is protected and so that justice may be done;

WHEREAS, the parties agree that this Stipulation may be executed in counterparts, and that the electronic signatures shall be deemed acceptable signatures for the purposes of this Stipulation.

**IT IS HEREBY STIPULATED BY THE PARTIES THROUGH
THEIR COUNSEL OF RECORD THAT:**

Filing a class certification motion within ninety (90) days of filing, pursuant to Local Rule 23-1, would not be practicable and should not be required in this case, and that dates germane to the Plaintiff's class certification motion should be set by the Court following the Rule 16 conference.

Nothing herein shall serve as a waiver of any party's claims or defenses in this matter.

Dated: August 24, 2012

/s/ Scott Alan George
Scott Alan George
Jonathan Shub
SEEGER WEISS LLP
1515 Market Street, Suite 1380
Philadelphia, PA 19102
(215) 564-2300 Telephone
(215) 851-8029 Facsimile

Christopher A. Seeger
cseeger@seegerweiss.com
SEEGER WEISS LLP
77 Water Street
New York, NY 10004

MATTHEW B. WEISBERG
WEISBERG LAW PC
7 SOUTH MORTON AVE
MORTON, PA 19070
610-690-0801
Fax: 610-690-0880
Email: mweisberg@ppwlaw.com

ROBERT P. COCCO
LAW OFFICES OF ROBERT P.
COCCO PC
1500 WALNUT ST., STE 900
PHILADELPHIA, PA 19102
215-351-0200
Fax: 215-922-3874
Email: rcocco@rcn.com

*Counsel for Plaintiff and the Putative
Class*

RESPECTFULLY SUBMITTED:

/s/ William D. Longo
WILLIAM D. LONGO
MARGOLIS EDELSTEIN
THE CURTIS CTR 4TH FL
INDEPENDENCE SQUARE WEST
PHILADELPHIA, PA 19106-3304
215-922-1100 Telephone

*Counsel for Regional Adjustment
Bureau Inc.*

/s/ Michael J. Dougherty
MICHAEL J. DOUGHERTY
WELTMAN WEINBERG & REIS
325 CHESTNUT ST.
SUITE 501
PHILADELPHIA, PA 19106
215-599-1500 Telephone

*Counsel for Enterprise Recovery
Systems Inc.*

/s/ Jeffrey D. Bukowski
JEFFREY D. BUKOWSKI
STEVENS & LEE
111 N. 6TH ST
POBX 679
READING, PA 19603
610-478-2215
Fax: 610-988-0805

CHRISTINE M. KOVAN
STEVENS & LEE PC
620 FREEDOM BUSINESS CENTER
SUITE 200
KING OF PRUSSIA, PA 19406
610-205-6038

DANIEL B. HUYETT
STEVENS & LEE
P.O. BOX 679
READING, PA 19603
TEL 610-478-2000
Fax: FAX 610-988-0801

JAMES J. JARECKI
PA HIGHER ED ASSIST AGY
1200 NORTH SEVENTH ST
HARRISBURG, PA 17102
717-720-1568

Counsel for PHEAA; John Doe 1; Jane Doe 1

IT IS SO ORDERED.

Judge Thomas N. Oneill, Jr.

Date: